

Peter A. Businger, Esq.
344 Valleyscent Avenue
Scotch Plains, NJ 07076
U.S.A

Phone/FAX: 908-322-4835
E-mail: pbusinger@comcast.com

F A X C O V E R S H E E T

Date: January 11, 2002

To: Examiner David E. Harvey
Patent Examining Group 2614 FAX Tel. No. 703-872-9314
U.S. Patent and Trademark Office

Number of pages including cover sheet: 11

Re: **U.S. Patent Appl. No. 09/234,036 filed January 19, 1999
of Serge Ayer et al.**

Re: **Copies of Papers**

In response to the Examiner's invitation by telephone with the applicant's representative, this facsimile is of a preliminary amendment and an information disclosure statement which were submitted with Certificates of Mailing of December 3, 2001 and December 4, 2001, respectively. As the dates of submission are earlier than the mailing date of the official Action of December 5, 2001, the applicant respectfully requests that the Action be canceled and superseded by a new action on the merits of the claims of the preliminary amendment.

Peter A. Businger

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